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70-3333

07 AUG 1970

Executive Directory
70-364611

MEMORANDUM FOR: Executive Director-Comptroller

SUBJECT: Retirement Travel Within a U.S. Metropolitan Area

REFERENCE: Memo dtd 13 July '70 to Ex. Dir. - Compt. fr
DD/S, subj: [REDACTED] - Moving
Expenses [REDACTED]

25X1

1. Your note of 16 July 1970 responding to referent memorandum indicated; (a) a need to clarify the two cases referred to in the OGC memorandum of 5 June 1970, and (b) that you would like to consider the proposed policy change before the regulations were amended.

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2. The two cases discussed in the OGC 5 June 1970 memorandum were [REDACTED] The pertinent features of the two cases are presented below for your information:

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a. [REDACTED] was a member of the CIA Retirement System and was assigned in Washington, D.C., for six years prior to his retirement from the Agency on 28 February 1969. During July 1969, [REDACTED] inquired about being reimbursed for moving expenses from one apartment building in Bethesda, Maryland, to another apartment building in Bethesda, Maryland; the move to take place on 31 July 1969. He was informed prior to the move by his office (Security), the Deputy Director of Personnel, the OGC, and the DD/S that these expenses were not reimbursable; earlier he had been informed by Chief, Central Processing Branch, that the expenses could be reimbursed. He appealed the denial of his claim to you 29 September 1969 and you upheld the denial by letter dated 17 November 1969. [REDACTED] invoice for his move totaled \$362.88, including a \$10.00 premium for transit insurance.

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b. [] was a member of the CIA Retirement System who retired from the Agency on 30 April 1970. He was assigned in [] until September 1969 when he returned to Headquarters PCS with the firm understanding that he would retire on 30 April 1970. At the time he returned to Washington, he was not certain where he would retire but stated that Florida was a distinct possibility. From September 1969 until the present time he has lived in temporary quarters in Silver Spring, Maryland. He moved two-thirds of his household effects from storage to his temporary quarters and left one-third in storage. When he decided to retire in Washington, he purchased a house [] in Washington, D. C. In question in this case is the movement of [] effects from his temporary quarters to his house in Washington, D. C. The movement of effects from storage to his residence in Washington, D. C., is covered under the travel order returning him from [] to Washington, D. C., for retirement.

3. Regarding the proposed policy change which would permit reimbursement for household effects movement costs of CIARDS retirees for moves within metropolitan areas, the Deputy Director of Personnel and the Travel Policy Committee became concerned as a result of the [] case that the Agency could reimburse for retirement related moves of CIARDS employees involving hundreds or thousands of miles and dollars but had to deny such moves involving short distances and only a few hundred dollars. The usual reasons for the move in either situation are similar, e. g., reduced income and need for living space dictates moving to smaller and less expensive quarters. The earlier OGC opinion issued in the [] case had drawn on BOB Circular A-56 for a standard from which it concluded that reimbursement for retirement moves within a metropolitan area could not be authorized. The Travel Policy Committee explored the possibility that an amendment in this Circular redefining "post of duty," effective 26 June 1969 but not available to the Agency until August, could provide the rationale by which reimbursement for such moves could be authorized. A statement regarding their deliberations is attached at Tab A. They recommended adapting the new definitions of "post of duty" to the CIARDS retirement move. Moreover, they did not recommend utilizing the new A-56 minimum mileage criterion in that comparative distances between new and old residences and the final post

of duty could not be related to a retirement move. Their proposal to amend our regulations is attached at Tab B. The second OGC opinion, dated 5 June 1970, is attached at Tab C. I have carefully reviewed the interpretations and rationale used by the Travel Policy Committee and I am in agreement with their proposal.

4. It should be noted that the term "Metropolitan Area" can cover a fairly large geographical area and a number of separate authoritative districts. For example, the Metropolitan Area of Washington is generally considered to include the federal district of Washington, D. C. and contiguous areas of the States of Maryland and Virginia. It includes all of Montgomery and Prince Georges Counties in Maryland, Arlington and Fairfax Counties and the City of Alexandria in Virginia. The diameter of the Metropolitan Area can measure up to 50 or more miles. I think it is important that we maintain flexibility in our interpretation and consider that any move within such an area is applicable within this proposed regulation.

5. Unless you disagree, I propose to amend in accordance ^{25X1} with the Travel Policy Committee recommendation.

SIGNED R. L. Bannerman
R. L. Bannerman
Deputy Director
for Support

Atts

Tab A
Tab B
Tab C

CONCUR:

/s/ L. K. White

L. K. White
Executive Director-Comptroller

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Date

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